

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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HENRY C. LATHAM,

Plaintiff,

-against-

JOHN; GEORGE; BENNETT; DAVID; and
RICHARD,

Defendants.
-----X

JUDGMENT
09-CV- 3398 (JG)

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E.D.N.Y.
★ AUG 25 2009 ★

P.M. _____
TIME A.M. _____

A Memorandum and Order of Honorable John Gleeson, United States District Judge, having been filed on August 20, 2009, dismissing the action without prejudice; certifying pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Court's Memorandum and Order would not be taken in good faith; and denying *in forma pauperis* status for the purpose of an appeal; it is

ORDERED and ADJUDGED that plaintiff take nothing of the defendants; that the action is dismissed without prejudice; that pursuant to 28 U.S.C. § 1915(a)(3) any appeal from the Court's Memorandum and Order would not be taken in good faith; and that *in forma pauperis* status is denied for the purpose of an appeal.

Dated: Brooklyn, New York
August 21, 2009
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ROBERT C. HEINEMANN
Clerk of Court

By/Terry Vaughn,
Chief Deputy